

EXHIBIT

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AMERICAN UNIVERSITY OF ANTIGUA COLLEGE
OF MEDICINE v. WOODWARD

STEVEN WOODWARD

February 1, 2011

Prepared for you by



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1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION
4
5 AMERICAN UNIVERSITY OF ANTIGUA
6 COLLEGE OF MEDICINE, a foreign
7 corporation,

8 Plaintiff,

9 vs. Case No. 2:10-cv-10978

10 Hon. Patrick J. Duggan

11 Hon. Michael Hluchaniuk

12 STEVEN L. WOODWARD,

13 Defendant.

14 _____

15

16

17 The Videotaped Deposition of STEVEN WOODWARD,

18 Taken at 432 North Saginaw Street, Suite 400,

19 Flint, Michigan,

20 Commencing at 10:25 a.m.,

21 Tuesday, February 1, 2011,

22 Before Cheri L. Gleyre, RPR, CSR-6548.

23

24

25

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1 APPEARANCES:

2

3 ERIC A. BUIKEMA

4 Cardelli, Lanfear & Buikema, P.C.

5 322 West Lincoln Avenue

6 Royal Oak, Michigan 48067

7 248.544.1100

8 Appearng on behalf of the Plaintiff.

9

10 STEVEN L. WOODWARD

11 7211 Brittwood Lane

12 Flint, Michigan 48507

13 810.235.7267

14 Appearng In Pro Per.

15

16 ALSO PRESENT:

17 Sally Woodward-Volz

18

19

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1 Flint, Michigan
2 Tuesday, February 1, 2011
3 10:25 a.m.
4

5 STEVEN WOODWARD,
6 was thereupon called as a witness herein, and after
7 having first been duly sworn to testify to the truth,
8 the whole truth and nothing but the truth, was
9 examined and testified as follows:

10 EXAMINATION

11 BY MR. BUIKEMA:

12 Q. State your full name.

13 A. My name is Steven Lee Woodward -- S-T-E-V-E-N, middle
14 name Lee, L-E-E, last name Woodward, W-O-O-D-W-A-R-D.

15 Q. Where do you currently reside?

16 A. I currently reside -- I don't have a residence. Last
17 night I spent the night in my other sister's basement.

18 Q. Who's your other sister, what's her name?

19 A. Stephanie Labelle.

20 Q. Where does she live?

21 A. What's her address?

22 Q. You can't ask her.

23 A. I don't know off the top of my head.

24 Q. You have to testify from your own personal
25 understanding.

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1 A. I don't know what my sister's --

2 Q. I know you've been through this process before. I
3 know that you find this a difficult situation. I do
4 not find this a difficult or personal situation. I'm
5 simply here to ask you questions about this lawsuit,
6 okay?

7 When we testify in circumstances like this
8 there are a few things we bear in mind; first and most
9 important is the oath you just took is the same you
10 take in any court of law. Even though we're not
11 sitting in a court of law it has the same concordant
12 consequences and you're to give your testimony the
13 same care and candor as you would if you are sitting
14 in a court of law, even though we're here in a less
15 formal circumstance. Do you understand that?

16 A. I understand the oath.

17 Q. All right. Now, it's important that you answer
18 questions verbally instead of using uh-huh, uh-uhs,
19 nods of the head or other vernacular that may describe
20 something that does not translate clearly on a written
21 record. As a perfect example, that is to say it was
22 as big as this room or as big as this table and we're
23 later reading that transcript we don't know. It's
24 important that you attach dimensions to that or a
25 description to that that translates well on the

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1 written record. Do you understand that?

2 A. Some of that is natural behavior when people shake
3 their head and say uh-huh, yes or no, so I understand
4 and I'll do the best of my ability to --

5 Q. It is and my instructions are solely to inform you
6 that this is not a conversation, this is testimony,
7 and because of that and also as a courtesy to the
8 court reporter that's taking down everything we say we
9 try and bear a couple of rules in mind that are not
10 natural to normal conversations, another of which is
11 that we try and speak one at a time, so it's important
12 that we not speak over one another. You may know
13 where my questions are going, but please wait until
14 I've completed speaking before you begin a response,
15 okay?

16 A. Yes.

17 Q. If at any time you don't understand a question or you
18 don't hear a question, please ask me to repeat or
19 rephrase it as the case may be. This is not a
20 contest. If you need a break for the bathroom or
21 something, just let me know and we'll accommodate you.

22 All right?

23 A. Can you repeat that?

24 Q. If you need a break for the bathroom --

25 A. No, prior to that.

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1 Q. It's important that we speak one at a time.

2 A. Okay. And then after that? You said something after
3 that, something -- if I don't know something, then I
4 don't know it, so I can't really answer something that
5 I don't know. I mean, if I say something and then
6 later I say -- I think well, I didn't understand it,
7 well, at the time I can't tell you that I didn't
8 understand it because I didn't understand it the first
9 time I said it.

10 Q. Well, the record will assist us in that regard if
11 there's any controversy.

12 How many nights a week do you spend in
13 Stephanie's basement or with Stephanie?

14 A. I spend a lot of nights there. I don't know exactly
15 how long.

16 Q. How long have you been physically present in the state
17 of Michigan?

18 A. Since Hurricane Earl, whenever that was.

19 Q. And you're primarily residing with your other sister
20 who's present with us today?

21 A. That's a mailing address.

22 Q. All right. What is the mailing address?

23 A. It's 7211 Brittwood Lane, Flint, Michigan.

24 Q. And if mail is sent to that address for court business
25 or otherwise, that's the best place to get you?

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- 1 A. That's the best place.
- 2 Q. And it does give you actual notice of the proceedings?
- 3 A. Correct. That's where you've sent me information and
- 4 that's where I've received it for the last five years,
- 5 about.
- 6 Q. And I'm only making sure you agree that it's
- 7 appropriate to do so, all right?
- 8 Now, are you currently employed?
- 9 A. No.
- 10 Q. When is the last time you were employed?
- 11 A. I was employed after our hearing in April and I was
- 12 employed to, I don't know, sometime that I believe it
- 13 was the -- I don't recall exact dates. Whenever I
- 14 came back for this proceedings. You are aware of that
- 15 during the hearing that we had in April? I don't
- 16 know.
- 17 Q. Mr. Woodward, this is not for me, this is for a
- 18 record, okay?
- 19 A. And I'm putting it for the record.
- 20 Q. When were you last employed?
- 21 A. And I told you, I was employed after our hearing in
- 22 April.
- 23 Q. For how long a period of time?
- 24 A. I don't remember. Sometime, I believe it was the end
- 25 of June.

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1 Q. What did you earn?

2 A. I earned \$150 a day.

3 Q. And the nature of your employment, sir, during that
4 time?

5 A. I cleaned -- I was like an assistant engineer, they
6 call them a third engineer, on a mega yacht.

7 Q. All right. And prior to that experience what was your
8 last employment?

9 A. I object to the relevance of this.

10 Q. Are you --

11 A. I don't know where this information goes to, but I'm
12 going to object to it but I'll answer it. Prior to
13 that after Hurricane Omar, just a couple of days after
14 Hurricane Omar -- what I've given Mr. Buikema in this
15 docket is Exhibit 52.

16 Q. Sir, you're speaking to me, you're not speaking to
17 anybody else. You're answering questions, you're
18 not --

19 A. And I'm --

20 Q. Stop. It's my objection now, which is it's
21 unresponsive to my question. And if you continue a
22 speech that is not responsive to my question I'll
23 maintain that objection, I'll seek costs including the
24 court reporter's fees and my attorney's fees for
25 showing up and you wasting my time this morning. Do

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1 you understand that?

2 A. I am producing documentation to answer your question.

3 Q. I haven't asked you for documentation. I asked you
4 when you last worked. Answer that question, please,
5 sir.

6 A. And I'm answering with the documentation that I have
7 to support that.

8 Q. Answer my question, please, sir.

9 A. I am answering that --

10 Q. Go ahead.

11 A. -- and I have the right to answer with whatever
12 documentation I have.

13 Q. Where were you last employed prior to the experience
14 you just described as an assistant engineer on that
15 mega yacht, when and where and how?

16 A. Exhibit 52 is --

17 Q. There is no exhibit.

18 A. I can produce documentation for these proceedings.

19 Q. Are you going to answer my question or not?

20 Mr. Woodward, we're on the record.

21 A. I'm calling Judge Hluchaniuk again because I'm trying
22 to produce documentation to answer these proceedings.
23 Phone call.

24 (Discussion off the record at 10:33 a.m.)

25 (Back on the record at 10:35 a.m.)

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1 BY MR. BUIKEMA:

2 Q. Let's continue with other areas of the exam, and the
3 question that was pending, for the record, was where
4 did you last work prior to your experience as an
5 assistant engineer on the mega yacht that you
6 described, it was when and where, okay? But we'll
7 move on.

8 Mr. Woodward, I will mark as Exhibit
9 Number 1 notice for the deposition today.

10 MARKED FOR IDENTIFICATION:

11 DEPOSITION EXHIBIT 1

12 10:35 a.m.

13 BY MR. BUIKEMA:

14 Q. Is Exhibit 1 what I say it is?

15 A. Objection, authentication. I don't know. I would
16 have to look it up in my records.

17 Q. You can't answer that question. Did you receive this
18 document?

19 A. I don't know. Objection, authentication.

20 Q. Are you telling me you don't know whether you received
21 that document?

22 A. I don't know if this is the document you sent me.

23 Q. Would you read it, please?

24 A. I wouldn't know unless I compared it to the document
25 you sent me and I don't have it.

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- 1 Q. Where is the document that I sent you at?
- 2 A. Back at my sister's basement.
- 3 Q. I will represent for you that Exhibit 1 is the notice
- 4 for today's deposition and was served upon you both
- 5 by -- electronically and also the 7211 Brittwood
- 6 address, which you identified as being an appropriate
- 7 address for you. Exhibit 1 requests certain documents
- 8 and materials. Whether you received the document that
- 9 was exactly the same as Exhibit 1 or whatever you
- 10 received, you received something that let you know to
- 11 be here today, correct?
- 12 A. I did.
- 13 Q. You're here today, therefore --
- 14 A. I am here today.
- 15 Q. And that request, like its proceeding requests, has a
- 16 number of identified document production requests,
- 17 does it not?
- 18 A. Yeah, it did.
- 19 Q. All right. And have you made an effort to comply with
- 20 that document request?
- 21 A. I've made an effort to comply not only with that
- 22 document request but I've brought you every single
- 23 thing that I have to the best of my knowledge as far
- 24 as visual aids, including work product, including
- 25 books that I was going to use as references, and it's

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1 the same information that I brought to court during
2 our December 22nd hearing in front of Judge
3 Hluchaniuk, so it's the same documentation that you
4 requested. It's just been sitting there since --

5 Q. Mr. Woodward, you've answered the question.

6 A. I haven't finished answering the question, sir, and
7 you overspoke me.

8 Q. Again, my objection is your response is now
9 unresponsive to my question. You're to focus on my
10 questions and only answer my questions, please, sir.

11 Item A under the document production request
12 says please produce, quote, plaintiff's data
13 auamed.org and auamed.net, end quote, as identified in
14 your Rule 26 disclosure in which you intend to rely
15 upon at trial. How have you satisfied that request?

16 A. You're saying auamed.org and auamed.net?

17 Q. Sure. This request is generated from your Rule 26
18 disclosures which identify that, quote, as what you're
19 going to produce.

20 A. I can't produce auamed.net because Mr. Buikema has
21 refused to answer documentation through my
22 interrogatories where I requested my password to
23 auamed.net to my user name, which was provided to me
24 by Steven -- by AUA, and they have locked me out of
25 that system since shortly after I filed a lawsuit on

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1 December 20th of 2007, so I do not have access to that
2 information because I've been refused access to that
3 information by the plaintiff.

4 Q. Terrific. Item B asks please produce, quote,
5 defendant's data from yahoo.com, end quote, as
6 identified in your Rule 26 disclosures. Have you made
7 an effort to -- first of all, what --

8 A. I haven't -- I haven't --

9 Q. Mr. Woodward, wait until I finish my question.

10 A. You stopped.

11 Q. Have you made an effort to comply with that request?

12 A. I haven't answered the -- completely the answer -- or
13 the question, the first question, before you rudely
14 interrupted me and went on to the next question. As
15 far as auamed.org, I have provided with -- to
16 Mr. Buikema not only the documentation that I intend
17 to use in trial to the best of my knowledge, but I've
18 also supplied him with a spreadsheet to reference that
19 information.

20 Q. Actually you have, and that's why I'm asking you these
21 questions. I need to understand what it is that you
22 have with you today. All we're doing is taking
23 inventory right now, Mr. Woodward. All we're doing is
24 taking inventory. I need to know what it is that
25 satisfies this category of document production that

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1 you have with you today. How is it stored, what is it
2 and if necessary we'll break it out and I'll certainly
3 give you an opportunity to give those things to me
4 later. But the question that's on the floor is what
5 is -- or how have you satisfied our request in the
6 deposition notice for defendant's data from yahoo.com
7 as identified in your own Rule 26 disclosure, what
8 have you brought with you today to satisfy that
9 request?

10 A. I've brought with me today to satisfy that request the
11 documentation that I intend to use in trial, of which
12 I had provided to Mr. Buikema on December 22nd and he
13 refused to look at this information. The information
14 is stored on a DVD of which he now has possession of
15 in electronic form. There's also copies of
16 information, paper copies of that information, and
17 exhibits, paper documents, of which is over 2,500
18 pages of documentation --

19 Q. Mr. Woodward --

20 A. -- to supply that information.

21 Q. -- my question is specific.

22 My question is as to defendant's data from
23 yahoo.com, which is a category of documents you
24 identify in your Rule 26 disclosures. What is that?

25 A. I've already answered Mr. Buikema's question. He has

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1 electronic copies of files from those sites. He also
2 has paper documents that are copies of evidence for
3 this case of which was provided to him, but he refused
4 to take on December 22nd --

5 Q. Where are those right now?

6 A. They're here in this box.

7 Q. All right. Pull out what would respond to our request
8 and specifically your identification of defendant's
9 data from yahoo.com as identified in Mr. Woodward's
10 Rule 26 disclosures. Please pull that out.

11 A. I'm sorry, please say it again.

12 Q. Please pull out the documents that satisfy the
13 category B in the deposition notice, which is
14 defendant's data from yahoo.com, as you have
15 identified in your own Rule 26 disclosures?

16 A. The information is provided to him on a DVD. It's in
17 electronic form. He also has paper copies inside the
18 box, and there's over 2,500 pages of information. For
19 me to sort out documents specifically from yahoo.com
20 is -- if he'd like me to take the time to sort that
21 out, I'd be more than willing to, but I feel that it
22 would take a substantial amount of time. And it is
23 provided for him and has been provided for him on
24 December 22nd and he refused to take it, but I am more
25 than willing to sit down and get not only the

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1 notarized copies of exhibits that I have from
2 yahoo.com but also show him the electronic copies that
3 are on his DVD.

4 MR. BUIKEMA: Object as nonresponsive, move
5 to strike.

6 BY MR. BUIKEMA:

7 Q. Category C, Mr. Woodward, please produce all of,
8 quote, defendant's data from youtube.com, end quote,
9 as identified in your Rule 26 disclosures. Have you
10 made any effort to satisfy that request?

11 A. On December 22nd I gave Mr. Buikema an opportunity to
12 take that data that was from yahoo.com or from -- what
13 is it, youtube.com we're on right now? Youtube.com,
14 whatever his last request was, and it's in a DVD
15 format that's in front of him. He also has paper
16 copies of that same information, and I'll be more than
17 happy to dig that information out if he requests me to
18 go through over 2,500 pages of documentation and
19 specifically draw information from youtube.com.

20 Q. Mr. Woodward, these requests are derived from your
21 Rule 26 disclosures. Are you telling me that there is
22 not separately identified categories of documents such
23 as auamed.org documents, defendant's data from
24 yahoo.com, defendant's data from youtube.com that you
25 intend to rely upon at trial?

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1 A. I produced all my documentation that I plan to arrive
2 by trial. It's in a spreadsheet that has a
3 description. It has a date definition. It has the
4 exhibit number that's on it.

5 Q. All right. Where is that spreadsheet?

6 A. It's on here.

7 Q. It's on this CD --

8 A. It's on that DVD.

9 Q. -- that we can't read at this deposition?

10 A. Sure, you can.

11 Q. So I have in my hand a DVD-R that's got some black
12 marker on it that says Exhibit 607. What you're
13 telling me is Exhibit 607 is -- this CD has all of the
14 documents that you're referring to?

15 A. That doesn't have all the documents I'm referring to.
16 The rest of the documents are on paper form there.
17 They're in this box.

18 Q. Okay.

19 A. Exhibit 607 has the documents that Mr. Buikema
20 requested. It has -- in electronic form. I did not
21 rename each document because I believe that it would
22 subtract from the -- where the document actually came
23 from in its original content and also it could alter
24 the date of originality of that document.

25 Q. Mr. Woodward, your Rule 26 disclosures identify a

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1 category of documents called, quote, defendant's data
2 from youtube.com. The notice for today's deposition
3 asked you to produce those today. Have you done that?

4 A. That information is on this DVD. It is also on
5 electronic format. I'd also like to state at this
6 time that according to Judge Hluchaniuk that Rule 26
7 is not even valid at this point in time since we are
8 still in discovery and those dates have changed and
9 that this documentation I didn't actually have to
10 bring here except for his deposition -- I forget how
11 you would say the Latin word for it -- for request of
12 documentation during a deposition.

13 Q. The Latin phrase is de bene esse and these are exactly
14 the categories I'm going through, sir. So I'm asking
15 you as part of that de bene esse -- or excuse me,
16 the -- now you've got me confused -- duces tecum
17 production of this category C, the deposition notice,
18 the duces tecum portion of the deposition notice asked
19 you to identify and produce defendant's data from
20 YouTube. This is a term that you employed, not us, so
21 what is that is what I want to know, what is it?

22 A. Well, now he's asking for work product. It's now time
23 to call the judge. It's now been ten minutes.

24 Q. Are you making a work product objection to that
25 question, sir?

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1 A. I don't recall what your question was. I'm now
2 focusing on calling the judge.

3 Q. Okay.

4 THE WITNESS: Yes, hello. This is Steve
5 Woodward calling for Judge Hluchaniuk.

6 Yes, Judge Hluchaniuk, this is Steve
7 Woodward. Yes, sir. I'd like to put you on
8 speakerphone, please? Judge, can you hear me?

9 JUDGE HLUCHANIUK: I can.

10 THE WITNESS: I would like the court
11 reporter to restate the question. Mr. Buikema asked
12 me for my employment history and I tried to produce
13 documentation as such to support my work history, and
14 Mr. Buikema denied me the right to and threatened me
15 with legal jargon not to produce documentation to
16 support my answer.

17 MR. BUIKEMA: Your Honor, my question was --
18 and let me preface this by saying in the course of
19 this I assume about a half hour of this deposition I
20 received a work product objection, I've received let's
21 say no less than six objections by Mr. Woodward, none
22 of which are founded at law and he is unfortunately a
23 victim of his own misunderstanding of the law.

24 But nevertheless, the question that he's
25 asking you about and unfortunately bothering you this

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1 morning is that I asked him for a little bit of his
2 employment experience after asking him to state his
3 name and his address. He told me his last employment
4 experience was as an assistant engineer on a mega
5 yacht. I asked him about his next previous employment
6 experience, and he refused to answer that question but
7 instead starts breaking out and marking exhibits,
8 which I don't need to tell you is inappropriate.

9 All I want is an answer to my question. I
10 want to be able to control the exam and proceed as I
11 see fit, given that it's my discovery exam, and
12 Mr. Woodward wants to mark exhibits and offer things
13 into evidence. He can do so during his own exams or
14 his own trial, but this is my opportunity and
15 unfortunately, Judge, he's stepping all over it and to
16 the point where I'm about ready to walk out and
17 suggest we redo it in your courtroom.

18 THE WITNESS: Your Honor, the last time I
19 was asked this before these plaintiffs or -- I gave my
20 answer to my work history and it was bastardized to
21 discriminate me, to lack of a better word. The
22 reference material is during -- directly after
23 Hurricane Omar, which pictures I was trying to show
24 this attorney, the damage on St. Martin caused by
25 Hurricane Omar.

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1 JUDGE HLUCHANIUK: Mr. Woodward, let me deal
2 with this issue in this fashion. A deposition is
3 basically an opportunity that the opposing side has to
4 ask you questions. You don't necessarily have the
5 right to volunteer information during the time that
6 they're asking you questions, so you should answer the
7 question that is put to you and only that question.

8 If at the end of the questioning by opposing
9 counsel you feel that an answer to -- the answer that
10 you gave earlier was limited in some fashion such that
11 the record would be incomplete if you didn't
12 supplement, just as you could if you had a lawyer
13 representing you, you could add additional information
14 at the end of the questions that are put to you by the
15 opposing counsel.

16 So the sequence should be Mr. Buikema asks
17 you questions, you should answer those questions, and
18 then after he is finished answering those questions --
19 after he's finished asking you those questions, if you
20 feel that additional information should be provided to
21 clarify some answer that you couldn't supplement at
22 the time that he asked you the question, then you can
23 add information to the record or you can add
24 information at a later time, at the trial or at some
25 other occasion in which it's appropriate.

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1 MR. BUIKEMA: To the extent he intends to --

2 JUDGE HLUCHANIUK: This is not a trial,

3 Mr. Woodward, in which all the information needs to

4 come out. The deposition -- the taking of your

5 deposition by the opposing party is for them to gather

6 information that's important to them. So if you feel

7 there's something that's left out of the answer that

8 you give, at a later time you could supplement it or

9 you could supplement it at the occasion in the

10 deposition when he has finished asking you questions.

11 MR. BUIKEMA: At the end of my exam, Your
12 Honor.

13 JUDGE HLUCHANIUK: Yes.

14 MR. BUIKEMA: That's important to point out.

15 THE WITNESS: Your Honor, it's my

16 understanding that I can produce documentation to

17 support my answer; is that correct?

18 JUDGE HLUCHANIUK: What you need to do is
19 answer the question that he puts to you.

20 THE WITNESS: But if to answer the question
21 requires documentation can I produce documentation to
22 answer the question?

23 JUDGE HLUCHANIUK: Certainly there was no
24 answer that -- as I would perceive it that what he
25 simply asked you what was your employment before your

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1 most recent employment. You don't need documents to
2 show that, you could just say what you did.

3 THE WITNESS: Your Honor, the example here
4 is that after Hurricane Omar I aided this island to
5 rescue boats. I even was sent over to the island of
6 Anguilla to restore water for that island, and when it
7 came out in court documentation they made it sound
8 like I was playing and having fun on St. Martin, where
9 I was diving in gasoline and diesel fuel to help these
10 islands out, and they completely bastardized my whole
11 deposition over that issue because I was doing --
12 diving over this issue.

13 JUDGE HLUCHANIUK: The point is,
14 Mr. Woodward, this is not the trial. This is a
15 deposition in which they are asking you questions, so
16 you need to answer the questions that they put to you
17 and only those things. A deposition that is a
18 discovery deposition, as this one is, is not intended
19 to be a complete picture of everything that happened.

20 THE WITNESS: But this information can be
21 used in court and it's used against me in other
22 literature.

23 MR. BUIKEMA: That's exactly the purpose of
24 this exam, Mr. Woodward.

25 JUDGE HLUCHANIUK: It can be used against

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1 you, but you can supplement your answer if there's
2 something that was left out of it. You're not
3 prohibited from offering additional information at a
4 subsequent occasion to explain in some broader sense
5 what you were doing, if that's ever even relevant.

6 THE WITNESS: Then why is he asking me
7 irrelevant information??

8 JUDGE HLUCHANIUK: Well, I guess what I'm
9 saying is your employment would be a relevant issue in
10 most circumstances that I can see, but the details
11 that you're offering at this stage of things don't
12 appear to be particularly relevant and it's not
13 responsive to the question that he's asked you. He
14 just simply asked you what you were doing, and you
15 have the right to answer that question, but to produce
16 documents and move into an area that is beyond the
17 question that was asked of you I don't think is
18 appropriate. It drags out the process and this is his
19 deposition. He gets to ask you the questions. It is
20 not the trial in which a full presentation of
21 information is necessary, so you simply need to answer
22 the questions.

23 THE WITNESS: Then if I can't produce
24 documentation and this information is used in trial
25 against me, then I have no choice then to say I don't

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1 recall over any of this information because I can't
2 give accurate information without documentation.

3 MR. BUIKEMA: Your Honor, I'm ready to
4 proceed with the exam.

5 JUDGE HLUCHANIUK: Mr. Woodward, that just
6 doesn't seem honest to me.

7 THE WITNESS: Well, it seems as honest as
8 these proceedings are to me.

9 JUDGE HLUCHANIUK: Well, ultimately if --
10 whatever conduct you engage in at the deposition, if
11 it's sent to a judge at a later occasion and it's not
12 appropriate, then you could be sanctioned for that.
13 You need to answer the questions that he puts to you
14 and leave it at that.

15 THE WITNESS: And I can't produce any
16 documentation to support my answers?

17 JUDGE HLUCHANIUK: You know, I'm not
18 conducting this hearing here. This is not something
19 that's happening in the courtroom. I'm giving you
20 informal advice as to what I think is appropriate
21 under the circumstances. You're going to do whatever
22 you want to do, but you'll do it at your own peril.
23 That is you could be sanctioned if you improperly
24 respond to questions that are put to you at the
25 deposition. I can't referee this on the phone, so

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1 what I'm telling you is that you need to answer the
2 questions that are put to you. You don't need to go
3 beyond that.

4 MR. BUIKEMA: Thank you, Your Honor.

5 JUDGE HLUCHANIUK: Answer the questions?

6 MR. BUIKEMA: I'm ready to proceed.

7 JUDGE HLUCHANIUK: All right.

8 MR. BUIKEMA: Mr. Woodward, are you ready?

9 JUDGE HLUCHANIUK: Our conversation then is
10 ended and I'll leave you with the hopes that you can
11 get through this process as expeditiously as possible.

12 MR. BUIKEMA: Thank you very much, Your
13 Honor.

14 THE WITNESS: Thank you, Your Honor.

15 JUDGE HLUCHANIUK: Good day.

16 BY MR. BUIKEMA:

17 Q. Mr. Woodward, section D of the deposition notice, the
18 duces tecum portion, references please produce any and
19 all videos you've produced which discuss plaintiff,
20 AUA. So, first of all, I want to ask you have you
21 produced videos that have as their subject AUA or your
22 experience with AUA or Antigua more generally?

23 A. Please restate that question. I'm sorry. I'm sorry,
24 I'm a little upset right now. I need to take a break.
25 I need to take a break.

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1 MR. BUIKEMA: Go ahead.

2 (Recess taken at 10:57 a.m.)

3 (Back on the record at 11:00 a.m.)

4 BY MR. BUIKEMA:

5 Q. Have you produced videos in which the topic of the
6 video is AUA, your experience at AUA or your
7 experience at Antigua more generally?

8 A. I don't even know what AUA is. The plaintiff has
9 refused to give me any information concerning the
10 corporation AUA. I've never seen any articles of
11 incorporation of AUA. I don't even know -- AUA claims
12 to be a trademark of which there are many AUAs that
13 were established prior to AUA. I did attend a school
14 on Antigua, but who knows --

15 Q. Mr. Woodward, let me stop you there.

16 A. -- what it is.

17 Q. Let me stop you there, and my objection is
18 nonresponsive. The question is simply have you
19 produced videos in which AUA is the topic?

20 A. I have produced videos of which the alleged company,
21 university, whatever it is, limited-liability company,
22 whatever Mr. Buikema calls it, about the American
23 University of Antigua and also St. Joseph Mercy
24 Oakland Hospital, so...

25 Q. Are you finished? How many more videos -- how many

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1 videos have you produced in total?

2 A. I don't know.

3 Q. How many are currently published?

4 A. I don't know exact number.

5 Q. Where are they currently published?

6 A. I can't give you that information.

7 Q. Have you published videos on YouTube?

8 A. I have.

9 Q. Have you published videos elsewhere?

10 A. I have.

11 Q. Where else have you published videos with AUA as the
12 subject?

13 A. On my website.

14 Q. What is your website?

15 A. Auamed.com.

16 Q. How long have you maintained that website?

17 A. I don't recall the exact date that it was started.

18 Q. What year?

19 A. I believe it was 2009.

20 Q. Do you know the month of 2009?

21 A. I believe March or April.

22 Q. How many videos are published on your website?

23 A. I don't have the exact number.

24 Q. Where else have you published videos?

25 A. I published videos on other websites. Whether they're

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1 active or not, I don't know.

2 Q. And of those videos what are the topics?

3 A. I can't recall all the topics at this time.

4 Q. Your Rule 26 disclosures in this case identify videos
5 and that you intend to rely on such videos at trial.

6 Are all of the videos upon which you intend to rely
7 upon at trial produced somewhere in conjunction with
8 what you've brought with you today?

9 A. All that documentation, my entire website, all the
10 files that I can find concerning my website are on the
11 DVD of which Mr. Buikema has in his possession.

12 Q. Are we referring to the same DVD I pulled out, has
13 Exhibit 607 written on the front of it?

14 A. Correct. In there there's a file that specifically
15 states -- I believe it's called web, dash, site or
16 something to that effect.

17 MR. BUIKEMA: Mark this, please, as
18 Exhibit 2.

19 MARKED FOR IDENTIFICATION:

20 DEPOSITION EXHIBIT 2

21 11:04 a.m.

22 BY MR. BUIKEMA:

23 Q. Mr. Woodward, what else is on Exhibit 2 other than
24 those videos?

25 A. On those videos are the recordings that Mr. Buikema

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1 requested, other files, as I've already mentioned, the
2 Excel spreadsheet that gives a list of documentation.
3 There's a -- there's the entire recording of the
4 biochemistry class record where the instructor tells
5 the class that -- multiple times that they already
6 used this class for argument. There also are
7 recordings concerning a committee meeting that I was
8 at. There's --

9 Q. Are --

10 A. You asked me for a list of information on here, sir.
11 I'm trying to give you a list of documentation and
12 information on this file.

13 Q. And I'm asking you to clarify one of your statements,
14 which was you mentioned recordings or audio
15 recordings. Are they audio recordings of the
16 professor, are they audio recordings of you, are they
17 something -- you tell me what they are more
18 specifically, please?

19 A. The biochemistry, it was an exam review. I'm trying
20 to think of the professor's name right now. I just
21 dropped it. I should know it. Anyway, it's an entire
22 class recording. The recordings of the committee
23 meeting are on there. There were I believe two
24 recordings on there. There's -- actually for the
25 class recording there's actually two recordings

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1 because one of the recordings is a specific file
2 format to I believe it's a Sony recorder, which I
3 didn't have, so I had to get a converter to convert
4 it, so it's actually converted into a normal playable
5 format.

6 There's also downloaded recordings to verify
7 Don Kostic (phonetic) as a voice on one of the
8 recordings. There's I believe several -- at least two
9 files in there. There's a video file that AUA
10 produced and then there's the audio files from the
11 committee meeting and then there's also an audio file
12 of him in class on there. There are, like I stated
13 earlier, all the content of my website. There's --

14 Q. You mentioned an Excel spreadsheet of documentation.

15 A. Now I just can't -- now Mr. Buikema overspoke and I'm
16 trying to --

17 Q. You need not editorialize. The record will speak for
18 itself and you're taping it and it's being recorded by
19 this fine reporter.

20 The Excel spreadsheet of documentation that
21 you mentioned as being on this disc, it's a
22 spreadsheet of what documentation or what categories
23 of documentation?

24 A. What it is is a spreadsheet that lists my exhibits and
25 a brief description of what each exhibit is.

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1 Q. Are the exhibits themselves produced?

2 A. Yes.

3 Q. Where are the exhibit themselves?

4 A. They're in this box over here in the corner.

5 Q. And you're going to give that box to me today?

6 A. I tried to give it to you on December 22nd.

7 Q. Are you going to give that box to me today?

8 A. I brought it for you.

9 Q. Thank you. Let's mark it as Exhibit 3 then. Just
10 bring up the whole box, we'll put a sticker on it.

11 MARKED FOR IDENTIFICATION:

12 DEPOSITION EXHIBIT 3.

13 11:08 a.m.

14 BY MR. BUIKEMA:

15 Q. Exhibit 3 are all the exhibits upon which you intend
16 to rely on at trial, correct?

17 A. We still have approximately two months worth of
18 discovery left, so they possibly could not be the
19 entirety of my exhibits. On this disc, of which I was
20 interrupted, is also further disclosures --

21 Q. Stop.

22 A. -- with discovery information that I've produced.

23 Q. You identify something called audio files from
24 committee meeting in your Rule 26 disclosures. Are
25 whatever you're referencing by that term on Exhibit 2?

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1 A. They are.

2 Q. You reference something called audio file biochemistry
3 test review on your Rule 26 disclosures. Is that
4 document or that type of information on Exhibit 2?

5 A. That recording is on Exhibit 2.

6 Q. Is there anything upon which you intend to rely that's
7 not on Exhibit 2 in terms of audio file biochemistry
8 test review?

9 A. I still have two months worth of discovery left over
10 and so that would not be an accurate statement.

11 Q. Are the e-mail from journalist, The Daily Herald, as
12 you identify in your Rule 26 disclosures, a document
13 or documents that are on Exhibit 2?

14 A. No. I believe those are -- oh, they might be.

15 Q. Are they in the box marked as Exhibit 3?

16 A. They're in this set of documentation. They were --

17 Q. It's a yes-or-no question, sir. Is it --

18 A. I don't know. If I can't answer it, I can't answer.

19 Q. Are they on one or the other?

20 A. They could be either one or both.

21 Q. All right. Now, plaintiff's data from valuemd.com is
22 identified in your Rule 26 disclosures as something
23 you intend to rely upon at trial. Is that document or
24 group of documents produced somewhere in Exhibit 2 or
25 Exhibit 3?

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- 1 A. Say it again. On which one? What is it?
- 2 Q. Valuemd.com.
- 3 A. Yeah. Those I believe are in the box.
- 4 Q. Quote/unquote, data from ecfmg.org identified in your
- 5 Rule 26 disclosures, is that document or group of
- 6 documents produced on Exhibit 2 or somewhere in
- 7 Exhibit 3?
- 8 A. I've just sent out a subpoena to ECFMG, so I don't
- 9 have a complete, accurate information back from ECFMG.
- 10 Q. How is it that you sent out a subpoena to ECFMG?
- 11 A. I went to the county clerks and I had them give me a
- 12 subpoena and I wrote a subpoena and actually I wrote
- 13 three subpoenas and I sent them to the ECFMG.
- 14 Q. Who signed then?
- 15 A. I signed them.
- 16 Q. Where?
- 17 A. I signed them.
- 18 Q. At the bottom where it says attorney/court judge?
- 19 A. I scratched out attorney and I signed my name.
- 20 Q. And you sent these to whom?
- 21 A. I sent them to be served to the ECFMG.
- 22 Q. Okay. You said you got three subpoenas?
- 23 A. Correct.
- 24 Q. So you served one on ecfmg.com?
- 25 A. All three of them I served to the ECFMG.

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1 Q. Okay. What is ECFMG?

2 A. It's the Education Commission for Foreign Graduates, I
3 believe.

4 Q. And what was the substance of the request and
5 subpoena?

6 A. The varication of USMLE student pass rates, the
7 verification of the USMLE step 1 grades that AUA
8 disclosed and Victor Horovich's (phonetic)
9 presentation, the verification of aggregates, number
10 of students that have taken the USMLE step 1 -- it's
11 all about the USMLE step 1 first-time test takers for
12 students from the American University of Antigua.

13 Q. Have you sent purported subpoenas to any other third
14 party?

15 A. I sent subpoenas to -- I sent them to Sally Mae, I
16 sent them to NBME.

17 Q. What's NBME?

18 A. It's a National Board for Medical Education, I
19 believe.

20 Q. Why else?

21 A. Sally Mae.

22 Q. You said ECFMG, Sally Mae, NBME?

23 A. I believe it's NBME. It's the National -- it's either
24 NMB or NBME.

25 Q. Is there any other third party to whom you sent a

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1 purported subpoena in this case?

2 A. Not that I recall at this time.

3 Q. The subject of your subpoena with Sally May was what?

4 A. Student loans.

5 Q. The subject of your subpoena to NBME was what?

6 A. Similar to the subpoenas that I sent to the ECFMG.

7 Q. You signed all of these documents?

8 A. I don't know if I -- I believe so, yes.

9 Q. The court didn't sign any of these?

10 A. The court signed them, yeah.

11 Q. Did the judge sign any?

12 A. No, the judge wouldn't have signed them. You should
13 have -- actually there should be a motion for -- a
14 motion to compel.

15 Q. Just respond to my question, sir. That's not my
16 question. My question is did the judge sign them?
17 That's a yes-or-no question.

18 A. I don't know if the judge signed the motion to compel.

19 Q. Now, the subpoenas that were sent used this case
20 number and caption?

21 A. To the best of my ability I filled out those
22 subpoenas. I tried to seek help on filling out a
23 subpoena.

24 Q. It's a yes-or-no question. Did it use this case
25 number and caption?

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1 A. I requested subpoenas back in the beginning of this --

2 Q. My question is did the subpoenas that you purported to
3 issue in this case use this case number and this
4 caption?

5 A. Yes, to the best of my ability.

6 Q. Why were they not served on my office as the attorney
7 for AUA?

8 A. I didn't know that -- they're a third party.

9 Q. You agree you did not serve any such subpoenas on my
10 office?

11 A. I didn't serve any subpoenas on your office. Oh, I
12 take that back. I did ask the -- for subpoenas to go
13 out to these same organizations back when you
14 wrongfully threw me into default, so that would be
15 back in -- I forget when that was, and you threatened
16 to quash these subpoenas.

17 Q. You're referring to a motion you filed requesting --

18 A. To have --

19 Q. Excuse me. Let me finish my question, sir. Are you
20 referring in your last answer to a motion that you
21 filed requesting subpoenas be issued?

22 A. I believe there were several motions that I filed to
23 request several subpoenas to be filed.

24 Q. But in this circumstance what you're telling me is you
25 issued three subpoenas to ECFMG, one to Sally Mae, or

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1 at least one to Sally Mae, and at least one to NBME?

2 A. No. There would be more to NBME. I believe there's,
3 yeah, multiple to NBME.

4 Q. How many subpoenas in total did you purport to issue
5 in this case?

6 A. I have no idea.

7 Q. How many of those did you serve on my office or a copy
8 of on my office when you issued them?

9 A. You had copies of the information that was sent out.

10 Q. Mr. Woodward, my question, how many of these subpoenas
11 which we are presently discussing did you serve on my
12 office at the time you served them on those third
13 parties, if any?

14 A. I served subpoenas to your office. You received
15 copies of those back when they were motions in the
16 time frame when we were in default.

17 Q. What's the date of the ECFMG subpoenas?

18 A. I believe I sent those out on Monday.

19 Q. Okay. And copies were not served on my office on
20 Monday or shortly thereafter, were they?

21 A. No.

22 Q. The date of the Sally Mae subpoenas?

23 A. I don't recall.

24 Q. Okay. Were they contemporaneously served on my office
25 when they were issued?

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1 A. No.

2 Q. Is the response deadline expired?

3 A. Yeah, they never responded.

4 Q. And NBME, did you also serve subpoenas on NBME without
5 contemporaneously serving them on my office?

6 A. I don't know what you mean by contemporarily (sic)
7 serving them on your office, but I did serve NBME with
8 subpoenas.

9 Q. Have you served any other requests on third parties
10 that have not also been directed to my office?

11 A. Those are what I understand that I needed to send out.

12 Q. Have you filed any other pleadings in this case which
13 you have not also served on my office?

14 A. I don't understand the question.

15 Q. Okay.

16 A. If I've sent something to the court I sent it to you
17 except for those there.

18 Q. Your Rule 26 disclosures reference something called
19 personal references and awards.

20 A. By the way, NBME had sent me --

21 Q. There's no question pending. You answer my questions
22 as I ask them, sir, all right? The question that's
23 pending now is your Rule 26 disclosures reference
24 something called personal references and awards, end
25 quote. Are the documents that you intend to rely upon

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1 in that category produced somewhere in conjunction
2 with Exhibit 2 or Exhibit 3?

3 A. Yes.

4 Q. Do you know which?

5 A. They could be both.

6 Q. All right. Now, your Rule 26 disclosures also
7 reference something called all public accessible
8 Internet data. What does that mean?

9 A. It's data issued on the Internet, data on the
10 Internet.

11 Q. What portion of all public accessible Internet data do
12 you reasonably intend to rely upon at trial?

13 A. Whatever's in that box --

14 Q. Okay.

15 A. -- at this particular time.

16 I still have --

17 Q. Stop. That box, meaning Exhibit 3?

18 A. Whatever I have at this point in time in discovery is
19 in that box. I still have approximately two months
20 for more discovery. As I've stated before, anything
21 that I've currently discovered past December 22nd I've
22 put either in here or in that box.

23 Q. By that box, Mr. Woodward, are you referring to
24 Exhibit 3?

25 A. I am.

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1 Q. Again, I'm going to caution you, please just respond
2 to my questions?

3 A. All right. At this particular time I'd like to
4 restate for the NBME subpoenas --

5 Q. Mr. Woodward --

6 A. -- I did receive --

7 Q. -- there's no question pending.

8 A. -- information back.

9 Q. There's no question pending.

10 A. I'm trying to give you information on this.

11 Q. I'm terminating --

12 A. I'm trying to restate --

13 MR. BUIKEMA: Stop, stop. I'm terminating
14 the exam. We'll continue this in court and after the
15 judge has had an opportunity to review this conduct.

16 Thank you.

17 (The deposition was adjourned at 11:18 a.m.

18 Signature of the witness was requested.)

19

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1 AMERICAN UNIVERSITY OF ANTIGUA
2 COLLEGE OF MEDICINE, a foreign
3 corporation,

4 Plaintiff,

5 vs.

Case No. 2:10-cv-10978

6 STEVEN L. WOODWARD,

7 Defendant.

8 _____ /

9

10 VERIFICATION OF DEPONENT

11

12 I, having read the foregoing deposition consisting
13 of my testimony at the aforementioned time and place, do
14 hereby attest to the correctness and truthfulness of the
15 transcript.

16

17

18

19 STEVEN WOODWARD

20 Dated:

21

22

23

24

25

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1 CERTIFICATE OF NOTARY

2 STATE OF MICHIGAN)

3) SS

4 COUNTY OF OAKLAND)

5

6 I, CHERI L. GLEYRE, certify that this deposition
7 was taken before me on the date hereinbefore set
8 forth; that the foregoing questions and answers were
9 recorded by me stenographically and reduced to
10 computer transcription; that this is a true, full and
11 correct transcript of my stenographic notes so taken;
12 and that I am not related to, nor of counsel to,
13 either party nor interested in the event of this
14 cause.

15

16

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18

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21

22 CHERI L. GLEYRE, CSR-6548

23 Notary Public,

24 Oakland County, Michigan

25 My Commission expires: May 9, 2013